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Special Litigation Counsel for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:  
USA COMMERCIAL MORTGAGE COMPANY,  
  
Debtor.

Case Nos.:  
BK-S-06-10725-LBR  
BK-S-06-10726-LBR  
BK-S-06-10727-LBR  
BK-S-06-10728-LBR  
BK-S-06-10729-LBR

In re:  
USA CAPITAL REALTY ADVISORS, LLC,  
  
Debtor.

In re:  
USA CAPITAL DIVERSIFIED TRUST DEED FUND,  
LLC,  
  
Debtor.

JOINTLY ADMINISTERED  
Chapter 11 Cases

In re:  
USA CAPITAL FIRST TRUST DEED FUND, LLC,  
  
Debtor.

Judge Linda B. Riegler

In re:  
USA SECURITIES, LLC,  
  
Debtor.

**NOTICE OF HEARING ON  
USACM LIQUIDATING  
TRUST'S MOTION TO  
COMPEL PRODUCTION OF  
DOCUMENTS BY WELLS  
FARGO**

Affects:  
☐ All Debtors  
☒ USA Commercial Mortgage Company  
☐ USA Capital Realty Advisors, LLC  
☐ USA Capital Diversified Trust Deed Fund, LLC  
☐ USA Capital First Trust Deed Fund, LLC  
☐ USA Securities, LLC

Hearing Date: February 21, 2008  
Hearing Time: 9:30 a.m.

PLEASE TAKE NOTICE that a hearing on the Motion to Compel Production of Documents by Wells Fargo (the "Motion") filed by the USACM Liquidating Trust (the "Trust") will be held on **Thursday, February 21, 2008, at 9:30 a.m.** before the Honorable Linda B.

1 Riegle, United States Bankruptcy Court, Foley Federal Building, 300 Las Vegas Boulevard South,  
2 Courtroom 1, Las Vegas, Nevada 89101.

3 **NOTICE IS FURTHER GIVEN** that, pursuant to Local Rule 9014(e)(1), any opposition  
4 to the Motion must be filed and service completed upon the USACM Liquidating Trust not more  
5 than fifteen (15) days after service of the Motion, but in no event later than five (5) business days  
6 before the date set for the hearing. The opposition must set forth all relevant facts and must  
7 contain a legal memorandum.  
8

9 If you object to the relief requested in the Motion, you ***must*** file a **WRITTEN** response to  
10 the Motion with the Court. You ***must*** also serve your written response on the person who sent  
11 you this notice.  
12

13 If you do not file a written response with the Court, or if you do not serve your written  
14 response on the person who sent you this notice, then:

- 15 • The Court may *refuse to allow you to speak* at the scheduled hearing; and
  - 16 • The Court may *rule against you* without formally calling the matter at the hearing.
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Dated: February 8, 2008

**DIAMOND MCCARTHY LLP**

By: /s/ Eric D. Madden  
Allan B. Diamond, TX 05801800 (pro hac vice)  
William T. Reid, IV, TX 00788817 (pro hac vice)  
Eric D. Madden, TX 24013079 (pro hac vice)  
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*Special Litigation Counsel  
for USACM Liquidating Trust*

**CERTIFICATE OF SERVICE**

I hereby certify that I am an employee of the law firm of DIAMOND MCCARTHY LLP, and that on the 8<sup>th</sup> day of February 2008, I served a true and correct copy of the foregoing **NOTICE OF HEARING ON USACM LIQUIDATING TRUST'S MOTION TO COMPEL PRODUCTION OF DOCUMENTS BY WELLS FARGO** by electronic transmission to Wells Fargo, Attn: Toysha Martin at [toysha.r.martin@wellsfargo.com](mailto:toysha.r.martin@wellsfargo.com) and by United States Mail, first class postage prepaid to Toysha Martin at the following address: Wells Fargo Law Department, S4101-142, Suite 1418, 100 W Washington, 14th Floor, Phoenix, AZ 85003.

/s/ Catherine A. Burrow, CLA  
Catherine A. Burrow, CLA  
Diamond McCarthy LLP

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